



Montana Legislative History

Chapter: 259 Session L: 1997 **Checklist of Bill History**
Bill Number: 198 House / Senate History and Final Status Sheet ☒
Introduced Bill ☒
Fiscal Note ☐
Third Reading Bill ☒
Final Version of Bill ☒

House	Senate
Committee: Education & Cultural Resources	Committee: Education & Cultural Resources
Hearing Date(s): 2/10	Hearing Date(s): 1/27
Committee Report: 3/11	Committee Report: 1/30

Conference Committee

Hearing Date(s): N/A

Conference Committee Report: N/A

Compiler Notes

Compiled by: Shane Cashin

Date: 6/28/2023

Notes: N/A

SB 196 INTRODUCED BY CRIPPEN *LC0509 DRAFTER: PETESCH*

AUTHORIZE THE DEFENSE OF NECESSITY WHEN AN INDIVIDUAL ACTS TO
PREVENT THE DEATH OF OR SERIOUS BODILY HARM TO ANOTHER

1/20 INTRODUCED
1/20 FIRST READING
1/20 REFERRED TO JUDICIARY
1/30 HEARING
1/30 TABLED IN COMMITTEE
3/03 MISSED DEADLINE FOR 45TH DAY TRANSMITTAL
DIED IN COMMITTEE

SB 197 INTRODUCED BY GROSFIELD, ET AL. *LC1092 DRAFTER: MACMASTER*

CLARIFY THE MONTANA ADMINISTRATIVE PROCEDURE ACT

1/20 INTRODUCED
1/20 FIRST READING
1/20 REFERRED TO STATE ADMINISTRATION
1/28 HEARING
1/29 COMMITTEE REPORT—BILL PASSED
1/31 2ND READING PASSED 47 0
2/01 3RD READING PASSED 45 0

TRANSMITTED TO HOUSE
2/03 FIRST READING
2/03 REFERRED TO JUDICIARY
3/07 HEARING
3/08 COMMITTEE REPORT—BILL CONCURRED
3/15 2ND READING CONCURRED 96 1
3/17 3RD READING CONCURRED 100 0

RETURNED TO SENATE
3/19 SIGNED BY PRESIDENT
3/21 SIGNED BY SPEAKER
3/21 TRANSMITTED TO GOVERNOR
3/25 SIGNED BY GOVERNOR
CHAPTER NUMBER 152
EFFECTIVE DATE: 10/01/97

SB 198 INTRODUCED BY GROSFIELD, ET AL. *LC0740 DRAFTER: ERICKSON*

DEFINE "SAME SALARY" FOR THE PURPOSES OF TEACHER TENURE

1/20 INTRODUCED
1/20 FIRST READING
1/20 REFERRED TO EDUCATION & CULTURAL RESOURCES
1/27 HEARING
1/30 COMMITTEE REPORT—BILL PASSED AS AMENDED
2/01 2ND READING PASSED 45 0
2/03 3RD READING PASSED 50 0

TRANSMITTED TO HOUSE
2/04 FIRST READING
2/04 REFERRED TO EDUCATION & CULTURAL RESOURCES
2/10 HEARING
3/11 COMMITTEE REPORT—BILL CONCURRED
4/03 2ND READING CONCURRED 80 19
4/04 3RD READING CONCURRED 77 22

RETURNED TO SENATE
4/08 SIGNED BY PRESIDENT
4/08 SIGNED BY SPEAKER
4/09 TRANSMITTED TO GOVERNOR
4/14 SIGNED BY GOVERNOR

CHAPTER NUMBER 259
EFFECTIVE DATE: 07/01/97

SB 199 INTRODUCED BY DOHERTY *LC0364 DRAFTER: MARTIN*
ALLOW AN INCOME TAX CREDIT FOR HOUSEHOLD AND DEPENDENT CARE
SERVICES BASED ON THE INTERNAL REVENUE CODE

1/20 INTRODUCED
1/20 FIRST READING
1/20 REFERRED TO TAXATION
1/21 FISCAL NOTE REQUESTED
1/22 FISCAL NOTE RECEIVED
1/22 FISCAL NOTE PRINTED
1/23 HEARING
2/07 TABLED IN COMMITTEE
4/05 MISSED DEADLINE FOR 71ST DAY TRANSMITTAL
DIED IN COMMITTEE

SB 200 INTRODUCED BY DOHERTY, ET AL. *LC0879 DRAFTER: PETESCH*
REQUIRE CONTRACTS FOR PRIVATIZATION OF STATE PROGRAMS,
FUNCTIONS, OR SERVICES TO CONTAIN PROVISIONS PROTECTING
THE PUBLIC RIGHT TO KNOW

1/20 INTRODUCED
1/20 FIRST READING
1/20 REFERRED TO BUSINESS & INDUSTRY
2/07 HEARING
2/12 TABLED IN COMMITTEE
2/20 MOTION FAILED TO TAKE FROM COMMITTEE & PLACE
ON 2ND READING 19 31
3/03 MISSED DEADLINE FOR 45TH DAY TRANSMITTAL
DIED IN COMMITTEE

SB 201 INTRODUCED BY GLASER, ET AL. *LC0723 DRAFTER: MACMASTER*
PROVIDE FOR A DEATH SENTENCE FOR A PERSON CONVICTED TWICE OF
SEXUAL INTERCOURSE WITHOUT CONSENT WHO INFLICTED SERIOUS
BODILY INJURY ON A PERSON DURING THE COMMISSION OF EACH
OFFENSE

1/20 INTRODUCED
1/20 FIRST READING
1/20 REFERRED TO JUDICIARY
1/21 FISCAL NOTE REQUESTED
1/25 FISCAL NOTE RECEIVED
1/27 FISCAL NOTE PRINTED
1/29 HEARING
1/30 TABLED IN COMMITTEE
2/13 TAKEN FROM COMMITTEE AND PLACED ON 2ND
READING 38 12
2/15 2ND READING PASSED AS AMENDED 46 4
2/17 3RD READING PASSED 45 5

TRANSMITTED TO HOUSE
2/21 FIRST READING
2/21 REFERRED TO JUDICIARY
3/20 HEARING
3/27 COMMITTEE REPORT—BILL CONCURRED
4/03 2ND READING CONCURRED 81 19
4/04 3RD READING CONCURRED 81 18

4/08 RETURNED TO SENATE
SIGNED BY PRESIDENT

1
2 INTRODUCED BY Grosfield ^{SB} BILL NO. 198
3 Neitel Bjork

4 A BILL FOR AN ACT ENTITLED: "AN ACT DEFINING "SAME SALARY" FOR THE PURPOSES OF TEACHER
5 TENURE; AMENDING SECTION 20-4-203, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN
6 APPLICABILITY DATE."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9
10 **Section 1.** Section 20-4-203, MCA, is amended to read:

11 **"20-4-203. Teacher tenure.** (1) Except as provided in 20-4-208, whenever a teacher has been
12 elected by the offer and acceptance of a contract for the fourth consecutive year of employment by a
13 district in a position requiring teacher certification except as a district superintendent or specialist, the
14 teacher is considered to be reelected from year to year ~~thereafter~~ as a ~~tenure~~ tenured teacher at the same
15 salary and in the same or a comparable position of employment as that provided by the ~~last-executed~~
16 last-executed contract with the teacher unless the trustees resolve by majority vote of their membership
17 to terminate the services of the teacher in accordance with the provisions of 20-4-204.

18 (2) The tenure of a teacher with a district may not be impaired upon termination of services of the
19 teacher if the following conditions exist:

20 (a) the tenure teacher is terminated because the financial condition of the district requires a
21 reduction in the number of teachers employed; and

22 (b) continued employment rights are provided for in a collectively bargained contract of the district.

23 (3) (a) For the purposes of subsection (1), "same salary" means the daily rate of pay, excluding
24 benefits and stipends for nonteaching duties, multiplied by the number of days worked under the
25 last-executed contract with the teacher, up to 187 school days, including pupil-instruction-related days.
26 The calculation of daily rate of pay is determined by dividing the salary in the last-executed contract with
27 the teacher for pupil-instruction and pupil-instruction-related days, excluding benefits and stipends for
28 nonteaching duties, by the total number of contracted days under the last-executed contract. The trustees
29 may not reduce the salary of a tenured teacher whose duties, number of days worked, or contracted hours
30 of pay are not reduced.

(b) The definition of same salary may be modified only if specifically negotiated and agreed to in a collective bargaining agreement executed by the district and the teacher's exclusive representative pursuant to Title 39, chapter 31, or in an individual contract between the district and a teacher in a district in which the teachers have no exclusive representative as provided in Title 39, chapter 31."

NEW SECTION. **Section 2. Saving clause.** [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act].

NEW SECTION. **Section 3. Effective date -- applicability.** [This act] is effective July 1, 1997, and applies to contracts executed for the school fiscal year beginning July 1, 1998.

-END-

APPROVED BY COM ON EDUCATION
AND CULTURAL RESOURCES

SENATE BILL NO. 198

INTRODUCED BY GROSFIELD, MASOLO, ELLIS, ANDERSON, HERTEL, LAWSON

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THIRD READING

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-END-

MINUTES

MONTANA SENATE 55th LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION & CULTURAL RESOURCES

Call to Order: By **CHAIRMAN DARYL TOEWS**, on January 27, 1997, at 1:07, in Room 402.

ROLL CALL

Members Present:

Sen. Daryl Toews, Chairman (R)
Sen. C.A. Casey Emerson, Vice Chairman (R)
Sen. Debbie Bowman Shea (D)
Sen. Steve Doherty (D)
Sen. Delwyn Gage (R)
Sen. Wm. E. "Bill" Glaser (R)
Sen. John R. Hertel (R)
Sen. Loren Jenkins (R)
Sen. Mike Sprague (R)
Sen. Barry "Spook" Stang (D)
Sen. Mignon Waterman (D)

Members Excused: None

Members Absent: None

Staff Present: Eddye McClure, Legislative Services Division
Janice Soft, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 25, SB 198; Posted 01/21/97
Executive Action: None

HEARING ON HB 25

Sponsor: REP. DAVID EWER, HD 53, Helena

Proponents: Clifford Roessner, Montana Association of School
Business Officials
Lance Melton, Montana School Boards Association
Don Waldron, Montana Rural Education Association
Loran Frazier, School Administrators of Montana
Linda Vaughey, Havre Public Schools

Opponents: None.

{Tape: 1; Side: A; Approx. Time Count: 1:07-1:08 p.m.; Comments: First minute or two is Committee chitchat before the meeting actually began.}

Opening Statement by Sponsor:

REP. DAVID EWER, HD 53, Helena, gave his written Opening Statement. (EXHIBIT 1)

Proponents' Testimony:

Clifford Roessner, Business Manager and Clerk of Helena Public Schools & Montana Association of School Business Officials (MASBO), said HB 25 was a good bill and he thanked REP. EWER for carrying it. He said he could not add anything, except it gave school boards another tool for use in the wise managing of the financial needs of a school district. Mr. Roessner urged the CONCURRING of HB 25.

Lance Melton, Montana School Boards Association, gave written copies of testimony from Alan J. Olson, Roundup, (EXHIBIT 2) and Tonia Bloom, Corvallis (EXHIBIT 3). He distributed copies of a section of law, 20-9-502, (EXHIBIT 4) which was referenced but not included in HB 25. Mr. Melton referred to the new language in HB 25 and said any capitalization of the Building Reserve Fund could be done only through projects authorized through 20-9-502, which he explained to the Committee from (EXHIBIT 4). He further explained the purpose of HB 25 was to empower local voters to allow the districts to more quickly and efficiently face expenses too big for the school district's General Fund but too small to warrant a bond. Mr. Melton urged a DO CONCUR motion.

Don Waldron, Montana Rural Education Association (MREA), reiterated how the money could be spent only for its intended purpose, which had to be clearly spelled out before the voters voted. He urged the Committee's support for HB 25.

Loran Frazier, School Administrators of Montana (SAM), urged the Committee's support for HB 25.

Linda Vaughey, Private Citizen & Havre Public Schools, said HB 25 provided needed flexibility for school boards, referring to an example from the Havre Public Schools pertaining to roof repair for one of the schools. She said the school district passed a bond issue but needed the avenue HB 25 provided in order to secure the money to repair the roof before the five-year limit.

Opponents' Testimony: None.

Questions From Committee Members and Responses:

SEN. MIKE SPRAGUE asked if the Havre situation was so bad it brought the need for HB 25 to people's attention. REP. EWER said HB 25 had two different parts of the statute: (1) Building

Reserve Fund which required a vote of the people; (2) School's ability to use the Board of Investments INTERCAP Program. **REP. EWER** explained ordinarily loans under the INTERCAP Program did not require a vote of the people; however, when money from Building Reserves was requested, the Board of Investments did not consider the Reserve Fund a sufficient pledge for INTERCAP loans so it did require a vote by the district voters. He explained the reason for the INTERCAP loan statute change request in 20-9-471 was because ordinarily money could not be loaned through INTERCAP for real property additions, but if the district had a Building Reserve, the money could be loaned for an addition.

SEN. DELWYN GAGE asked how to interpret Page 2, Line 7, Subsection (7), if the loan did not go against the district's debt limit. **REP. DAVID EWER** said if the loan were INTERCAP, it would go against debt limitation and he wanted to stress the district would not need to use INTERCAP, but could go through a banker, etc. He said different issues were involved when "debt" was used and that was why he used "capitalization."

SEN. SPRAGUE wondered what to call it if it was not "debt". **REP. EWER** answered ordinarily the Building Reserve was "pay as you go"; however, the General Fund rather than the Building Reserve could pay the interest on the loan. He again stressed the Building Reserve amount was only the amount the voters approved.

{Tape: 1; Side: A; Approx. Time Count: 1:24 p.m.}

SEN. LOREN JENKINS commented previously in the Building Reserve the voters did not know the entire project; it was done piece by piece. **REP. EWER** said they used to take the position if the General Fund could support the project, the Building Reserve was tangentially supporting; however, he became less and less comfortable with that because it was believed by some money could not legally be taken from the Building Reserve to pay the General Fund.

SEN. JENKINS asked if HB 25 would help the situation in Havre. **REP. EWER** said HB 25 would be able to help school districts get their projects online sooner as opposed to waiting for some time to build up their Building Reserve.

SEN. JENKINS asked what happened if the Building Reserve monies were gone, but another project was necessary. **REP. DAVID EWER** said the Building Reserve could legally be used only for the purpose for which the voters intended, i.e. uses could not be substituted.

SEN. JENKINS asked what happened if the loan tied up the whole Reserve for five years, and it was needed for another use. **SEN. EWER** explained once a project was done, the reserve could not be used until the voters gave their approval.

Closing by Sponsor:

REP. DAVID EWER said HB 25 was a bill that gave flexibility and he urged favorable consideration.

{Tape: 1; Side: A; Approx. Time Count: 1:33 p.m.}

HEARING ON SB 198

Sponsor: SEN. LORENTS GROSFIELD, SD 13, Big Timber

Proponents: Bill Adamo, Montana School Boards Association
Lance Melton, Montana School Boards Association
Eric Feaver, Montana Education Association
Loran Frazier, School Administrators of Montana

Opponents: None.

Opening Statement by Sponsor:

SEN. LORENTS GROSFIELD, SD 13, Big Timber, said SB 198 dealt with "same salary," an issue which came before the 1995 legislature, but did not pass. He said both administrators and teachers had worked hard to agree; thus amendments SB019801.ACE (EXHIBIT 5). SEN. GROSFIELD asked the Committee to adopt the amendments because there was a lot of support for SB 198.

Proponents' Testimony:

Bill Adamo, Montana School Boards Association (MSBA), read his written testimony. (EXHIBIT 6)

Lance Melton, Montana School Boards Association (MSBA), distributed copies of (EXHIBIT 7) and said all parties had worked together to make SB 198 a balanced bill which would clarify the definition, enable all to know the ground rules which applied to extended duty contracts and provide a statutory reference for "same salary". He explained Amendments SB019801.ACE (EXHIBIT 5) and referred to SB 198, Page 2, Lines 10-12, and said the "Effective Date--applicability" was inserted because by the time July 1, 1997, came around most of the 1997-98 contracts would have been written so they did not want to interfere for that fiscal year. He said it was also explained on Page 2, Lines 6-8. He urged a DO PASS from the Committee.

Eric Feaver, Montana Education Association (MEA), said MEA supported SB 198 with the amendments, because the amendments met the concerns of the teachers regarding the definition of "same salary". Mr. Feaver informed the Committee it had never been MEA's contention a teacher employed on an occasional basis for a summer event would be granted a "same salary" provision; nor had it been their argument that a person who was both coach and teacher but who lost the coaching position, would continue receiving the coaching salary though it was not being earned.

Mr. Feaver suggested local control was emphasized and underscored through collective bargaining, and SB 198 with the amendments addressed local control. He said it was MEA's opinion SB 198 with the amendments would work.

Loran Frazier, School Administrators of Montana (SAM), said SAM concurred in SB 198.

Opponents' Testimony: None.

{Tape: 1; Side: a; Approx. Time Count: 1:45 p.m.}

Questions From Committee Members and Responses:

SEN. DELWYN GAGE asked what happened if a school district and teachers union negotiated a different definition of "same salary." **Eric Feaver** said there was no problem with MEA and MFT; however, both unions would hope local districts would understand when entering into negotiations, changes could occur.

SEN. GAGE referred to Amendment 2 (Page 1, Lines 28-30) and asked why the language should be stricken. **Mr. Feaver** said they felt the language was redundant and inappropriate.

SEN. STEVE DOHERTY referred to Page 1, Lines 23-24, 27, and asked if it was the intent to include benefits or did benefits and stipends each stand alone for nonteaching duties. **SEN. GROSFIELD** said he understood "benefits, or stipends for nonteaching duties", but wondered if changing the "and" to "or" would change the meaning. **Lance Melton** referred to MSBA's Fact Sheet (**EXHIBIT 7**) and explained "same salary" did not include benefits, which applied in all circumstances, and "stipends" for nonteaching duties would be a separate issue. **Eric Feaver** said it was his interpretation benefits and stipends were two different things and both were excluded from the definition of "same salary."

Eddye McClure asked if a stipend had a benefit. **Mr. Feaver** answered he did not think so, except for certain things deducted from the salary. He explained he thought of benefits as such things as health care, which was not "same salary." He also explained "stipend" was a nonteaching duty, per se; and the compensation package would not be included in "same salary."

SEN. JENKINS commented teaching duties/teaching pay would go together and nonteaching duties/pay would be another section. **Eric Feaver** said SB 198 as amended would clarify those issues.

Closing by Sponsor:

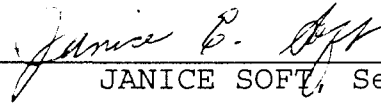
SEN. LORENTS GROSFIELD said the concerns could be cleared up if "excluding" were inserted before "stipends" on Page 1, Lines 24 & 27. He asked for a DO PASS from the Committee, but suggested adding the amendments.

ADJOURNMENT

Adjournment: The meeting adjourned at 1:53 p.m.



SEN. DARYL TOEWS, Chairman



JANICE SOFT, Secretary

DT/JS

Amendments to Senate Bill No. 198
First Reading Copy

Requested by Senator Grosfield
For the Senate Committee on Education and Cultural Resources

Prepared by Connie Erickson
January 25, 1997

1. Page 1, line 25.

Strike: "187 school days"

Insert: "the total number of days funded by the state in the per-
ANB entitlements"

2. Page 1, lines 28 through 30.

Strike: "The" on line 28 through "." on line 30

3. Page 2, line 1.

Strike: "only"

Strike: "specifically"

4. Page 2, line 7.

Following: "incurred,"

Insert: "contracts entered into,"

An analysis of SB 198

“An act defining “same salary” for the purposes of teacher tenure. . .”

1. Under the teacher tenure law (MCA 20-4-203), whenever a teacher has entered into his or her fourth consecutive teaching contract with the same employer, the teacher is considered to be reelected from year to year thereafter as a “tenure” teacher at the *same salary*.
2. One of many problems with the law is that “same salary” lacks definition and as a result, inexperienced hearing officers, the state superintendent of schools, arbiters, district courts, the Attorney General, and even the Supreme Court have been asked to define what lacks clarity.
3. Lack of a clear “same salary” definition fosters an atmosphere of threatened litigation. This fear of litigation forces many public school districts to capitulate rather than litigate a position that is not only in the best interest of the district but *fair*.
4. The questions is, “Does ‘same salary’ protection apply to a standard contract (for the Livingston School District it is 187 days), or does it apply to a daily rate, or does it apply to gross pay received by a tenure teacher in a given year, or some combination of those three?” (This bill answers these questions.)
5. School districts are constrained from making even minor (temporary) alterations to tenured teachers contracts without potentially creating continual salary liability, whether bargained or not.
6. By virtue of the state equalization formula that helps fund public schools for 180 pupil-instruction days and 7 pupil-instruction-related days (teacher in-service days), most school districts in the state contract with tenure teachers for 187 total days.
7. However, there are many student and district needs that exceed the standard teaching 187 day contract. Meeting those needs, in most cases, requires the payment of salary or stipends to teachers to perform those duties. These needs are typically for a fixed period of time or to accomplish a specific task rather than, as MCA 20-4-230 defines same salary protection, “*thereafter*”.
8. Some examples of needs that may be for a fixed period or for a specific task include: a teacher contracted to work an additional two weeks after the school year to help develop curriculum; or a district may choose to experiment with year-round school that requires an extended (greater than 187 days) for a whole group of teachers; or a teacher paid a stipend to perform department head duties; or a vocational teacher offered a four week extended

contract to work with students during the summer.

9. Many of these needs are funded from non-continuing funding sources rather than sources that are "*thereafter*". Voted school district operating levies are not permitted to be on the basis of "*thereafter*".
10. This legislation is a "local control" issue in that districts need the authority, at a local level, to prioritize the funding of extra programs. For example, districts should "at will" be able to make such program changes as replacing an extended teaching contract of a Spanish language teacher with an extended teaching contract of a French language teacher.
11. This legislative proposal does not eliminate "same salary" protection for tenure teachers. It simply defines it and limits it to a standard 187 days, unless otherwise bargained.
12. This legislative proposal will likely result in increased tenure teachers' employment opportunities. If districts realize that it is not "*thereafter*" bound to extra pay for tenure teachers, it (the district) would probably be more willing to offer teachers extra duty (for pay) opportunities.
13. Finally, the current statute encourages districts to pull teachers out of the classroom and replace them with noncertificated substitutes in order to find the time to develop curriculum. This being preferable to exposing the district to the uncertainty of a "*thereafter*" salary obligation. Educational delivery systems throughout the state suffer when this statute as written.



—MONTANA SCHOOL BOARDS ASSOCIATION—

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Helena, Montana 59601
Telephone: 406/442-2180
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Robert L. Anderson, Executive Director

SENATE EDUCATION

EXHIBIT NO. 7

DATE 1/27/97

BILL NO. 56198

Senate Bill 198 Fact Sheet

1. Defines same salary as the base pay, not including benefits, in concurrence with the attorney general's opinion in 42 A.G.Op. 49, where the attorney general stated:

I conclude that the term "at the same salary" means at the same basic pay, *but does not include other fringe benefits.*

2. Defines same salary by reference to the total number of days paid by the state in the Per-ANB Entitlements (currently 187 days).
3. Exempts from the definition of same salary any stipends for nonteaching duties such as, but not necessarily limited to, coaching.
4. Provides for local control by *allowing teachers and districts to define "same salary" differently to suit local needs or unique circumstances.* This portion of the bill would provide *greater flexibility* to districts and teachers in negotiating on extended duty contracts for curriculum development or for additional days of instruction. *The negotiation provision would allow the districts and teachers to agree to the effect of additional pay in experimental situations,* and determine the effect of the additional pay on same salary protections through local control and bargaining.
5. This bill has the support of the educational community, both management and labor.

The Montana School Boards Association respectfully requests that the Committee issue a "do pass" recommendation on Senate Bill 198.

DATE 1/27/97

SEN:1997
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DATE 1/27/97

SENATE COMMITTEE ON Education

BILLS BEING HEARD TODAY: SB 198, HB 25

< ■ > PLEASE PRINT < ■ >

Check One

Name	Representing	Bill No.	Support	Oppose
Lynda Blannon	MASBO	HB 25		
Clifford Roegner	MASBO	HB 25	✓	
John Frazee	SAu	HB 25	✓	
Lynda Vaukey	Haver Public Sch	HB 25	✓	
Bill Adair	MSBA	SB 198	✓	
LANCE MELTON	MSBA	SB 198 HB 25	X	
John Frazee	SAu	SB 198	X	
Don Waldron	MBEA	SB 198 HB 25	X X	
Terry Minow	MET	SB 198	X	
John Malee	MET	SB 198	X	
Eric Farrow	MEA/MET	SB 198	X	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

MINUTES

MONTANA SENATE 55th LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION & CULTURAL RESOURCES

Call to Order: By CHAIRMAN DARYL TOEWS , on January 29, 1997, at 1:05 p.m., in Room 402.

ROLL CALL

Members Present:

Sen. Daryl Toews, Chairman (R)
Sen. C.A. Casey Emerson, Vice Chairman (R)
Sen. Debbie Bowman Shea (D)
Sen. Steve Doherty (D)
Sen. Delwyn Gage (R)
Sen. Wm. E. "Bill" Glaser (R)
Sen. John R. Hertel (R)
Sen. Loren Jenkins (R)
Sen. Mike Sprague (R)
Sen. Barry "Spook" Stang (D)
Sen. Mignon Waterman (D)

Members Excused: None

Members Absent: None

Staff Present: Eddy McClure, Legislative Services Division
Janice Soft, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 155; Posted 01/23/97
Executive Action: SB 198, SB 133, SB 95, HB 25,
SB 187

HEARING ON SB 155

Sponsor: SEN. JOHN HERTEL, SD 47, Moore

Proponents: Joan Schmidt, volunteer advocate for quality education
Dr. Randy Hitz, Montana Council of Deans of Education
Gail Gray, Office of Public Instruction
Erik Hanson, Governor's Office
Stuart Knapp, Deputy Commissioner of Higher Education
Eric Feaver, Montana Education Association

Loran Frazier, School Administrators of Montana
Terry Minow, Montana Federation of Teachers

Opponents: **Storris Bishop, Board of Public Education**
 Wayne Buchanan, Board of Public Education

Opening Statement by Sponsor:

SEN. JOHN HERTEL, SD 47, Moore, said SB 155 was meant to amend the membership of the Certification Standards and Practices Advisory Council, explaining it would mandate a dean or director of a Montana institution of education be a member of the Council. **SEN. HERTEL** said the Council was created by the 1987 legislature to provide advice to the Board of Public Education on matters related to certification and professional educators. He stated the Advisory Council was composed of seven members who were appointed by the Board of Public Ed: 4 practicing teachers, 1 district trustee, 1 school administrator and 1 faculty member from an approved teacher education program offered by an accredited teacher educational institution.

SEN. HERTEL said SB 155 changed the Council membership by narrowing the teacher education representation to that of a dean or director of teacher education. He remarked this Council had been very helpful to the Board of Public Ed because it was able to conduct in-depth discussion and research on policies relating to teacher education; therefore, because deans were responsible for overseeing the implementation of policies related to certification and accreditation of teacher education programs, they would be a real asset to the Council.

Proponents' Testimony:

Joan Schmidt, volunteer advocate of quality education for children, said she had served two terms as a school board representative member of the Council, and was also past Chairman of the Council. She said the Council had been created ten years ago with the belief teachers themselves were the best suited to regulate their profession; however, the legislators realized wise decisions must fit into the larger scheme of things so that was the reason for the composition of the Council. **Ms. Schmidt** explained SB 155 was a subtle change because it kept the existing balance while enhancing the ability of the group to prepare well thought-out recommendations for the Board of Public Ed. She maintained the question to be asked was how best could higher education contribute to the teaching profession, and she had three suggestions: (1) The dean could look at his or her own institution in terms of the larger picture; (2) The dean had access to interaction with the other colleges in the Montana University System because he or she participated in the Council of Deans; (3) Information from the deans became a part of the process for the Council. **Ms. Schmidt** summarized by saying she felt the presence of the dean on the Council would strengthen the Council's ability to lead the way in elevating teaching as a

profession, i.e. SB 155 took a very good certification advisory council and made it better.

Dr. Randy Hitz, Montana Council of Deans of Education, read his written testimony. (EXHIBIT 1)

Gail Gray, Office of Public Instruction (OPI), said OPI rose in support of SB 155 because they thought a dean or director of teacher education had special knowledge of the program implications, recommended changes, administrative costs and communication contacts. **Ms. Gray** encouraged a DO PASS.

Erik Hanson, Governor's Office, said the Governor supported SB 155 because he believed the Certification Standards and Practices Advisory Council played an important role in reviewing and improving teacher preparation and professional development in Montana and he believed the addition of the dean to the Council would make its work more effective and productive. **Mr. Hanson** said the Governor recommended a DO PASS.

Stuart Knapp, Deputy Commissioner of Higher Education, said his office supported SB 155 because they believed the addition of a dean to the Council would be beneficial. They realized there were interesting connections between their office and the accrediting bodies which was important in setting policies.

Eric Feaver, Montana Education Association (MEA), said MEA supported SB 155, adding he did not have further testimony to attach to that already heard.

Loran Frazier, School Administrators of Montana (SAM), said, "Me too."

Terry Minow, Montana Federation of Teachers (MFT), said Montana must use its resources wisely and that included good communication and coordination among all systems of education. She stated there had been encouraging progress in cooperation and communication between the Board of Regents and Board of Public Ed which helped to move toward a unified system of education. **Ms. Minow** urged a DO PASS for SB 155.

{Tape: 1; Side: A; Approx. Time Count: 1:18 p.m.}

Opponents' Testimony:

Storris Bishop, Board of Public Education, said the Board of Public Ed opposed SB 155. He said since the Council was formed in 1987, there had been three appointments from the Department of Higher Education, and one of the appointees had been a dean. However, if SB 155 passed, it would jeopardize the process because the Higher Ed community would have a person serving on the Board which would be at the expense of all other qualified and interested parties. **Mr. Bishop** remarked it could also create the filling of that seat from a very small pool, could adversely

affect the balance, quality and fairness with which the Board of Public Ed had been trying to comprise the Council. He explained the current Board took very seriously their responsibility of appointing Council members. **Mr. Bishop** assured the Committee the Board of Public Ed had no reluctance in appointing a dean back onto the Council whenever it felt such an appointment would enhance the Council.

Wayne Buchanan, Board of Public Education, said the arguments presented by the proponents of SB 155 had merit and he was sorry there had not been a concerted effort to present them to the Board of Public Ed. He addressed some of the points made by the proponents: (1) Deans brought valuable insight and issues information to the Council. He agreed, but said it was not necessary for individuals who brought that information to the Council to also be voting and deliberating members. **Dr. Buchanan** said once a year the Council had the benefit of the deans because one of their four meetings was held on a college campus and hosted by the Council of Deans; (2) SB 155 makes a seamless web. **Dr. Buchanan** submitted the seamless web always seemed to go one direction, that of schools of higher education; (3) SB 155 carried out the original intent of the Council, i.e. have everyone together in a seamless web. He said it did not; in fact, the Council was set up to provide teachers and recipients of the efforts of the certification and teacher preparation with the rules of the Board of Public Ed. That was why Council members included five practicing educators.

Dr. Buchanan said there were good reasons for not having a dean on the Council: (1) Deans were not some underrepresented powerless minority because they had total control over teacher preparation in Montana. He explained the teaching preparation programs were one of the few which were supervised by those not certified to be teachers; (2) A dean on the Council could be a conflict of interest because reforming, updating or changing recommendations made by the Council for teacher preparation could be a direct or indirect criticism of the deans; (3) A dean would not be an ordinary member of the Council because deans are special people who have a lot of influence.

Dr. Buchanan told the Committee even if they rejected everything he had said and agreed with everything the proponents had said, SB 155 should not be passed because it was not about having a dean on the Council but how he or she got there. He said there had been no organized attempt to convince the Board of Public Ed this would be a wise move. He reminded the Committee the Council was advisory and the only way to measure its effectiveness was whether the Board of Public Ed would accept the Council's recommendations, explaining at first the Board did not have much confidence in the Council but upon **Dr. Buchanan's** recommendation, the Board appointed Council members to give that confidence. The Board did just that and now the Council had a high standing with the Board; in fact, the Board would not think of considering any teacher certification or preparation matter without consulting

with the Council, and when the Council made recommendations, they were almost unanimously accepted and put into rule. **Dr. Buchanan** suggested the success of the Council was one of the reasons SB 155 was now before the Committee because in the old days it was hard to find anyone to serve and now the Board was being forced to put a dean on the Council. He said the Committee and legislature had great power to change the way the Council (CSPAC) members were appointed ("just a teacher" be the president of MEA, "just an administrator" be a member of SAM and "just a trustee" be a member of MSBA), and the arguments for doing so would be precisely the ones heard today.

Dr. Buchanan said SB 155 was a bad bill and begged the Committee to let the Board of Public Ed continue to appoint its own Advisory Council members because it was a system which was proven to work. However, if the Committee decided to pass SB 155, he suggested an amendment. **(EXHIBIT 2)** He asked the Committee to give SB 155 a speedy DO NOT PASS.

{Tape: 1; Side: A; Approx. Time Count: 1:36 p.m.}

Questions From Committee Members and Responses:

SEN. STEVE DOHERTY asked for clarification of the alleged fight going on. **SEN. HERTEL** said he could not answer and deferred to **Eric Feaver** who said the purpose for the Council was to deliberate and give recommendations to the Board of Public Ed on matters of teacher certification and teacher preparation, and was composed of teachers, an administrator, a district trustee member but no direct representative of a teacher preparation program who had policy-making capacity. He said he authored the original legislation in 1987, but it was opposed by the Board of Public Ed at that time also. **Mr. Feaver** explained there were more teacher preparation representatives than generic faculty members available to speak with authority as to how recommendations might be played out, should they go into effect. **Mr. Feaver** denied there was a fight, explaining there were opponents and proponents and that did not constitute a fight. He said the idea of SB 155 had been around for awhile and the Board of Public Ed had ample opportunity to discuss it.

SEN. MIGNON WATERMAN asked if the vote of the Board to oppose SB 155 was unanimous and **Storris Bishop** said there was never a vote taken and denied there was a meeting to discuss it; however, he had spoken to Board members individually and all were opposed to the process.

SEN. CASEY EMERSON asked the size of the dean pool and **Mr. Bishop** said eight or nine. **SEN. EMERSON** wondered about the size of the faculty number and **Mr. Bishop** said about 150. **SEN. EMERSON** said without the amendment, it was possible the deans would select one of their members for the Council. **Storris Bishop** said it was possible.

SEN. DEBBIE SHEA asked if was Board policy to not have a public hearing and **Mr. Bishop** said it was not a standard practice but during this legislative time, it was done.

SEN. SHEA asked if the Board had run SB 155 past the Council and **Wayne Buchanan** said he discussed it with them individually, which was commonly done during the legislative session. He said the Council thought it was inappropriate, and he agreed, for the Council to determine who its membership would be. **SEN. SHEA** asked what the Council's objection would be and **Dr. Buchanan** said he did not know; perhaps it was the Board should be free to appoint the Council members. **SEN. SHEA** referred to **Dr. Buchanan's** remarks he found it ironical that people entrusted to teach teachers were not qualified and asked its meaning. He answered by saying the preparation of teachers was firmly in the hands of academia; therefore, the deans had policy-making authority while the other Council members had none. **SEN. SHEA** commented it was a powerful tool for teachers because deans were out of the classroom mainstream and SB 155 would encourage working together. **Wayne Buchanan** said some education faculty in Montana were not certified as teachers, nor were they selected on the basis of being good teachers.

SEN. DELWYN GAGE said it was his opinion **Wayne Buchanan's** comments smacked of turf protection and **Dr. Buchanan** said it was probably accurate; however, the Board had been successful in having a Council it had great confidence in and it should not be the legislature who decided whether today's arguments were right or wrong, i.e. the decisions made closer to the people were the better decisions. He referred again to the "turf" issue and said it applied to both sides.

SEN. GAGE commented **Dr. Buchanan's** remarks about deans having total control of teacher education could be one of the best reasons for having a dean on the Council because they could find out there were people who did not like their total control. **Dr. Buchanan** said he agreed, expanding it was important the deans had input and they should come either as a Council or as individuals and he said they usually attended the Council meeting. He reminded the Committee the issue was whether the deans would be deliberating, voting members of the Council.

SEN. GAGE asked what kind of peer contact the deans had and **Randy Hitz** said the Montana Council of Deans

{Tape: 1; Side: B; Approx. Time Count: 1:51 p.m.}

met about every month. **SEN. GAGE** asked what K-12 classroom contact the deans had and **Dr. Hitz** said MSU-Bozeman had a partnership relationship with the local schools, which included placing student teachers in the schools. He said there was a 22-member committee which was consisted of teacher education faculty, teachers and school administrators and no policies on placements were made without going before that committee. **Dr.**

Hitz said symposiums composed of cooperating teachers (supervisors of student teachers) and K-12 faculty met regularly as peers to discuss issues relating to education. **Dr. Hitz** said he was currently co-teaching a course in early childhood education with a first grade teacher, and he was also tutoring a first grade child. He said he had published three articles with people in K-12 schools in the Bozeman area; therefore, he was getting into their world and they were getting into his, which was the necessary thing to do. He said the responsibility of higher ed was to reflect on things, do research and share the information. He commented state and national standards were beginning to require a better connection between K-12 and higher education.

SEN. WATERMAN remarked it was her experience teacher education changed very slowly so she deemed it valuable to have a dean to sit on the Council because it would be one more of those connections. **Dr. Ritz** said deans had responsibility for overseeing the entire program, they were in a position to communicate with the entire faculty on a campus and could also communicate with their dean colleagues on a regular basis.

SEN. MIKE SPRAGUE asked why the idea of SB 155 was not brought before the Board of Public Ed but to the legislature and **Dr. Hitz** said he did not know. **SEN. SPRAGUE** suggested a dean would have more power than one of the Council members because he or she would be both the cause and effect of the vote. **Dr. Hitz** said he had been both a dean and Council member at the same time and had not intimidated any member.

SEN. SPRAGUE asked **Dr. Buchanan** the same question and was told he had already outlined the scenario and the influence could be seen today; however, it was not necessarily intimidation but intellectual tyranny, "research", etc. He reminded **SEN. SPRAGUE** he gave good reasons for not having a dean on the Council which were equal to the ones given for having a dean.

SEN. SPRAGUE asked **Dr. Buchanan** to address the lack of communication and was told there was a lack of communication, including SB 155; in fact, it was his understanding the Council of Deans was critical they were not on top of things. He said there was a \$150,000 study project before the Council which was of considerable importance to the deans and he could share the views of both parties; however, the Council decided to not go along with what the deans were saying. **Dr. Buchanan** noted the immediate effective date and said the deans wanted very badly to be on the Council.

SEN. LOREN JENKINS commented the group of deans met regularly and the Board expressed a problem with the deans deciding who would serve on the Council. **Randy Hitz** said the deans did not get together to decide who could apply for the Council, thereby limiting the Board of Public Education's consideration. **SEN. JENKINS** said if SB 155 passed, the field would be considerably

more narrow from which to choose, and would the deans be more inclined to subtly present the choice for the Board. **Dr. Hitz** said it would not be appropriate to limit the Board of Public Ed. **SEN. JENKINS** referred to the amendment (**EXHIBIT 2**) and asked if the deans had an objection to it. **Dr. Hitz** said he could not imagine that among the eight deans, someone would not be willing to accept.

{Tape: 1; Side: B; Approx. Time Count: 2:09 p.m.}

Closing by Sponsor:

SEN. JOHN HERTEL said he thought it very valuable to have someone of a dean's caliber sit on the Council. He said he thought there was a feeling if there was a dean on the Council, total control could swing to that individual; also, having a dean on the Council could pose a conflict of interest; however, he did not agree because the makeup of the Council included five teachers. **SEN. HERTEL** said the makeup SB 155 was proposing would ensure a greater connection between policy development and delivery in teacher preparation and certification.

EXECUTIVE ACTION ON SB 198

Discussion: **Eddye McClure** referred to Amendments SB019801.ACE (**EXHIBIT 3**) and explained #1 was requested by **SEN. STEVE DOHERTY** on January 27, 1997, the day SB 198 was heard; the others were given on that day.

Motion/Vote: **SEN. MIGNON** MOVED DO PASS FOR AMENDMENTS SB0198.ACE. Motion CARRIED UNANIMOUSLY 11-0.

Motion/Vote: **SEN. DEBBIE SHEA** MOVED SB 198 DO PASS AS AMENDED Motion CARRIED UNANIMOUSLY 11-0.

EXECUTIVE ACTION ON SB 133

Motion: **SEN. DEBBIE SHEA** MOVED DO PASS ON SB 133.

Discussion: **SEN. DELWYN GAGE** said there was a bill coming which would be in the form of a Constitutional amendment which would say the legislature could not levy a tax on personal property or state-wide levies without a vote of the people. He wondered if SB 133 would conflict with it if the Constitutional amendment would pass. **Eddye McClure** commented SB 133 was statutory while the other bill was Constitutional, which would prevail.

SEN. WILLIAM GLASER said SB 133 had its feet in the Constitution because it was in the original. **SEN. WATERMAN** commented SB 133 had been approved by the people and all the Committee was doing was reauthorizing submitting it to the people again.

SEN. MIKE SPRAGUE wondered if there was significance to "shall" as opposed to "must" and **Eddye McClure** explained if it was a person, it was "shall"; if it was inanimate, it was "must."

Vote: Motion DO PASS SB 133 CARRIED UNANIMOUSLY, 11-0.

EXECUTIVE ACTION ON SB 95

Motion/Vote: SEN. DEBBIE SHEA MOVED DO PASS FOR SB 95. Motion CARRIED UNANIMOUSLY 11-0.

EXECUTIVE ACTION ON HB 25

Motion/Vote: SEN. DELWYN GAGE MOVED DO CONCUR FOR HB 25. Motion CARRIED UNANIMOUSLY 11-0. SEN. GREG JERGESON will carry HB 25.

EXECUTIVE ACTION ON SB 187

Discussion: SEN. DARYL TOEWS explained SB 187 really was two separate issues: (1) It really did not set up any student aid -- was it the wish to do something about it? (2) It was a Constitutional issue -- should something the statutes required be done?

SEN. STEVE DOHERTY asked if any amendments with coordinating language would be needed. Ron Sunstad said the account referred to in the fiscal note was one the Board of Investments used to segregate assets to earn interest, and if SB 187 passed, the Board would set up the account. It did not require any action from the Committee.

SEN. DARYL TOEWS asked if the Committee had a choice in getting the statutes cleaned up so they were in line with the Constitution. SEN. BILL GLASER said it was his opinion there was no choice in the bill; however, he wished it could put the University in a position where it had a tighter tie to the students who were promised the money for student aid. He said there were two promises in SB 187 but they were not married.

SEN. GAGE commented SB 187 was the opposite of "contingency voidness" and wondered if such a clause was needed. SEN. STEVE DOHERTY said he understood "contingency voidness" was used only when General Fund revenue was reduced, and was applicable to tax bills. SEN. GLASER said the real truth was the General Fund received money which should not have gone there; consequently, the best this Committee could hope to do was clear up the statute and get a feeling from the Regents they were going to support the student aid program.

Motion/Vote: SEN. MIGNON WATERMAN MOVED DO PASS FOR SB 187. Motion CARRIED 9-2, with SEN. GAGE and SEN. EMERSON voting NO.

ADJOURNMENT

Adjournment: The meeting adjourned at 2:27 p.m.



SEN. DARYL TOEWS, Chairman



JANICE SOFT, Secretary

DT/JS

Amendments to Senate Bill No. 198
First Reading Copy

Requested by Senator Grosfield
For the Senate Committee on Education and Cultural Resources

Prepared by Connie Erickson
January 25, 1997

1. Page 1, lines 24 and 27.

Following: "and"

Insert: "excluding"

2. Page 1, line 25.

Strike: "187 school days"

Insert: "the total number of days funded by the state in the per-
ANB entitlements, as provided in 20-9-311"

3. Page 1, lines 28 through 30.

Strike: "The" on line 28 through "." on line 30

4. Page 2, line 1.

Strike: "only"

Strike: "specifically"

5. Page 2, line 7.

Following: "incurred,"

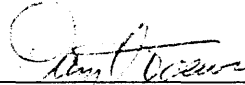
Insert: "contracts entered into,"

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
January 29, 1997

MR. PRESIDENT:

We, your committee on Education and Cultural Resources having had under consideration SB 198 (first reading copy -- white), respectfully report that SB 198 be amended as follows and as so amended do pass.

Signed: 
Senator Daryl Toews, Chair

That such amendments read:

1. Page 1, lines 24 and 27.

Following: "and"

Insert: "excluding"

2. Page 1, line 25.

Strike: "187 school days"

Insert: "the total number of days funded by the state in the per-
ANB entitlements, as provided in 20-9-311"

3. Page 1, lines 28 through 30.

Strike: "The" on line 28 through "." on line 30

4. Page 2, line 1.

Strike: "only"

Strike: "specifically"

5. Page 2, line 7.

Following: "incurred,"

Insert: "contracts entered into,"

-END-

 Amd. Coord.
Sec. of Senate

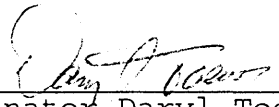
211632SC.STS

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
January 29, 1997

MR. PRESIDENT:

We, your committee on Education and Cultural Resources having had under consideration SB 133 (first reading copy -- white), respectfully report that SB 133 do pass.

Signed: 
Senator Daryl Toews, Chair

TS Amd. Coord.
60 Sec. of Senate

211635SC.STS

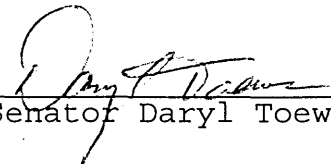
SENATE STANDING COMMITTEE REPORT

Page 1 of 1
January 29, 1997

MR. PRESIDENT:

We, your committee on Education and Cultural Resources having had under consideration SB 95 (first reading copy -- white), respectfully report that SB 95 do pass.

Signed: _____


Senator Daryl Toews, Chair

 Amd. Coord.
Sec. of Senate

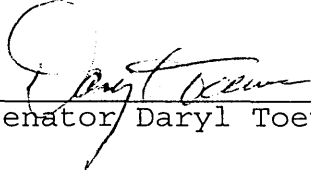
211638SC.STS

SENATE STANDING COMMITTEE REPORT

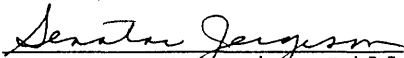
Page 1 of 1
January 29, 1997

MR. PRESIDENT:

We, your committee on Education and Cultural Resources having had under consideration HB 25 (third reading copy -- blue), respectfully report that HB 25 be concurred in.

Signed: 
Senator Daryl Toews, Chair

TS Amd. Coord.
618 Sec. of Senate


Senator Carrying Bill

211644SC.STS

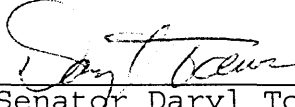
SENATE STANDING COMMITTEE REPORT

Page 1 of 1
January 29, 1997

MR. PRESIDENT:

We, your committee on Education and Cultural Resources having had under consideration SB 187 (first reading copy -- white), respectfully report that SB 187 do pass.

Signed: _____


Senator Daryl Toews, Chair

 Amd. Coord.
Sec. of Senate

211640SC.STS

SEN:1997
wp.rollcall.man
CS-09

DATE 1/29/97

SENATE COMMITTEE ON Education

BILLS BEING HEARD TODAY: SB 155

< ■ > PLEASE PRINT < ■ >

Check One

Name	Representing	Bill No.	Support	Oppose
Stuart Knapp	OCHIE	SB155	✓	
Ferry M. Now	MAT	SB155	✓	
Joan Schmitt	education	SB155	✓	
✓ Randy Hitz	Montana Council of Parents & Ed	SB155	✓	
Sail Jeff	OPD	SB155	✓	
Wayne Buchanan	BPE	SB155		✓
Thomas W. Seidman	BPE	SB155		✓
Erik Hanson	Governor's Office		✓	
Robert Frantz	S Dr	SB155	✓	
Eri De	NEA	SB155	X	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 55th LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION

Call to Order: By **VICE-CHAIRMAN PEGGY ARNOTT**, on February 10, 1997, at 3:00 P.M., in Room 312-1.

ROLL CALL

Members Present:

Rep. Alvin A. Ellis, Jr., Chairman (R)
Rep. Peggy Arnott, Vice Chairman (Majority) (R)
Rep. Dan W. Harrington, Vice Chairman (Minority) (D)
Rep. Paul Bankhead (R)
Rep. Matt Denny (R)
Rep. Kim Gillan (D)
Rep. Antoinette R. Hagener (D)
Rep. George Heavy Runner (D)
Rep. Sam Kitzenberg (R)
Rep. Bob Lawson (R)
Rep. Gay Ann Masolo (R)
Rep. Linda McCulloch (D)
Rep. Norm Mills (R)
Rep. William Rehbein, Jr. (R)
Rep. John "Sam" Rose (R)
Rep. Richard D. Simpkins (R)
Rep. Joe Tropila (D)
Rep. Allan Walters (R)

Members Excused: None.

Members Absent: None.

Staff Present: Connie Erickson, Legislative Services Division
Alberta Strachan, Committee Secretary

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 198 (2/5/97); HB 448
(2/6/97); HB 449 (2/6/97)

Executive Action: None.

HEARING ON SB 198

Opening Statement by Sponsor: SEN. LORENTS GROSFIELD, S.D. 13
introduced the bill.

{Tape: 1; Side: 1; Approx. Time Count: .4.}

Proponents' Testimony:

Lance Melton, Montana School Boards Association. EXHIBIT 1.
{Tape: 1; Side: 1; Approx. Time Count: 1.6.}

Loren Frazier, Montana School Administrators Association and
Montana rural Education Association. EXHIBIT 2.
{Tape: 1; Side: 1; Approx. Time Count: 5.4.}

Opponents' Testimony: None.
{Tape: 1; Side: 1; Approx. Time Count: 6.3.}

Informational Testimony: None.

Questions From Committee Members and Responses:
{Tape: 1; Side: 1; Approx. Time Count: 6.5.}

Closing by Sponsor: SEN. GROSFIELD closed on the bill.
{Tape: 1; Side: 1; Approx. Time Count: 16.5.}

HEARING ON HB 448 and HB 449

Opening Statement by Sponsor: REP. DEB KOTTEL, H.D. 45
introduced the bills.
{Tape: 1; Side: 1; Approx. Time Count: 18.1.}

Proponents' Testimony:

Wayne Buchanan, Montana Board of Education. EXHIBIT 3.
{Tape: 1; Side: 1; Approx. Time Count: 32.2; Comments: Dr.
Buchanan provided testimony from Jennifer (Last Name Withheld).}

Pete Donovan, Administrative Officer, Certification Standards
Practices Advisory Council. EXHIBIT 4, 5.
{Tape: 1; Side: 1; Approx. Time Count: 44.8; Comments: Mr.
Donovan provided testimony from Douglas F. Bates, Utah State
Office of Education and a copy of The Treasure State Adviser.}

Lance Melton, Montana School Boards Association. EXHIBIT 6, 7.
{Tape: 1; Side: 2; Approx. Time Count: .7; Comments: Mr. Melton
provided proposed amendments on both bills .}

Bob Vogel, Montana School Boards Association.
{Tape: 1; Side: 2; Approx. Time Count: 8.9.}

Informational Testimony:

Mike Batista, Department of Justice.
{Tape: 1; Side: 2; Approx. Time Count: 11.0.}

Gerel Driscoll, Office of Public Instruction.
{Tape: 1; Side: 2; Approx. Time Count: 11.8.}

Loren Frazier, School Administrators of Montana.

{Tape: 1; Side: 2; Approx. Time Count: 19.0.}

Opponents' Testimony:

Mary Sheehy-Moe, Helena teacher.

{Tape: 1; Side: 2; Approx. Time Count: 22.3.}

Scott Creighton, Executive Director, American Civil Liberties Union of Montana.

{Tape: 1; Side: 2; Approx. Time Count: 29.8.}

Questions From Committee Members and Responses:

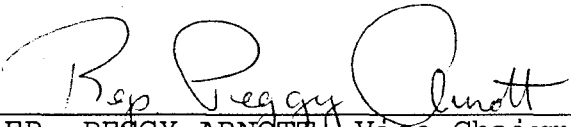
{Tape: 1; Side: 2; Approx. Time Count: 36.7.}

Closing by Sponsor: REP. KOTTEL closed on the bills.

{Tape: 2; Side: 1; Approx. Time Count: 36.1.}

ADJOURNMENT

Adjournment: 5:30 P.M.



REP. PEGGY ARNETT, Vice-Chairman



ALBERTA STRACHAN, Secretary

PA/ajs



—MONTANA SCHOOL BOARDS ASSOCIATION—

One South Montana Ave.
Helena, Montana 59601
Telephone: 406/442-2180
FAX: 406/442-2194

Robert L. Anderson, Executive Director

EXHIBIT 1

DATE 2-10-97

SB 198

Senate Bill 198 Fact Sheet

1. Defines same salary as the base pay, not including benefits, in concurrence with the attorney general's opinion in 42 A.G.Op. 49, where the attorney general stated:

I conclude that the term "at the same salary" means at the same basic pay, *but does not include other fringe benefits.*

2. Defines same salary by reference to the total number of days paid by the state in the Per-ANB Entitlements (currently 187 days).
3. Exempts from the definition of same salary any stipends for nonteaching duties such as, but not necessarily limited to coaching.
4. Provides for local control by *allowing teachers and districts to define "same salary" differently to suit local needs or unique circumstances.* This portion of the bill would provide *greater flexibility* to districts and teachers in negotiating on extended duty contracts for curriculum development or for additional days of instruction. The negotiation provision would allow the districts and teachers to agree to the effect of additional pay in experimental situations, and determine the effect of the additional pay on same salary protections through local control and bargaining.
5. This bill has the support of the educational community and passed unanimously in the Senate. The Montana School Boards Association respectfully requests a "do concur" recommendation on Senate Bill 198 from this committee.

EXHIBIT 2
DATE 2-10-97
SB 198

MONTANA RURAL EDUCATION ASSOCIATION

Mailing Address: P.O. Box 5418

1134 1/2 Butte Avenue

Helena, MT 59604

Phone: 406-443-2629 FAX: 406-443-5297

TO: House Education Committee
FROM: Don Waldron
DATE: February 10, 1997
SUBJECT: SB 198 by Senator Grosfield

MREA is in support of SB 198. We think this is a middle-of-the-road approach to the debate which everyone can clearly understand. What is meant by the *same salary* and what is exempt from *same salary* protection is clearer.

Our thanks to Senator Grosfield for proposing this clarification.

MREA hopes when you consider SB 198 you will give it a "Do Pass" recommendation.

Thank you.

Sincerely,

Don Waldron

HOUSE OF REPRESENTATIVES

COMMITTEE ON EDUCATION

ROLL CALL

DATE 2-10-97

NAME	PRESENT	ABSENT	EXCUSED
Rep. Alvin A. Ellis, Chairman	X		
Rep. Peggy Arnott	X		
Rep. Dan W. Harrington	X		
Rep. Paul Bankhead	X		
Rep. Matt Denny	X		
Rep. Kim Gillan	X		
Rep. Antoinette R. Hagener	X		
Rep. George Heavy Runner	X		
Rep. Sam Kitzenberg	X		X
Rep. Bob Lawson	X		
Rep. Gay Ann Masolo	X		
Rep. Linda McCulloch	X		
Rep. Norm Mills	X		
Rep. William Rehbein	X		
Rep. John "Sam" Rose	X		
Rep. Richard D. Simpkins	X		
Rep. Joe Tropila	X		
Rep. Allan Walters	X		

**MONTANA HOUSE OF REPRESENTATIVES
HOUSE COMMITTEE ON EDUCATION
VISITORS REGISTER**

DATE 2-10-97

BILL NO. HB 449

SPONSOR(S) _____

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☒ POI	BOB VOGEL	HELENA	MSBA
☒ POI	Scott Pruitt	Blgs	NCLL
☒ POI	Mike Batista	Helena	D.O.J.
☒ POI	Gerard Quill	Helena	OPJ
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**MONTANA HOUSE OF REPRESENTATIVES
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DATE 2-10-97

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☒ POI	Don Waldron	Helena	MREA
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**MONTANA HOUSE OF REPRESENTATIVES
HOUSE COMMITTEE ON EDUCATION
VISITORS REGISTER**

DATE 2-10-97

BILL NO. HB 448

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☒ POI	LANCE MELTON	HELENA	MSBA
☒ POI	BOB UOGEL	HELENA	MSBA
☒ POI	Scott Puck	Bls	MLU
☒ POI	MARY SHEEHY MOE	Helena	NO ONE
☒ POI	Mike Batista	"	DOJ
☒ POI	Tom Travis	Helena	Sam
☒ POI	Sheila Davis	"	OPI
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MINUTES

MONTANA HOUSE OF REPRESENTATIVES 55th LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION

Call to Order: By **CHAIRMAN ALVIN A. ELLIS, JR.**, on March 10, 1997, at 3:00 P.M., in Room 312-1.

ROLL CALL

Members Present:

Rep. Alvin A. Ellis, Jr., Chairman (R)
Rep. Peggy Arnott, Vice Chairman (Majority) (R)
Rep. Dan W. Harrington, Vice Chairman (Minority) (D)
Rep. Paul Bankhead (R)
Rep. Matt Denny (R)
Rep. Kim Gillan (D)
Rep. George Heavy Runner (D)
Rep. Bob Lawson (R)
Rep. Gay Ann Masolo (R)
Rep. Linda McCulloch (D)
Rep. Norm Mills (R)
Rep. William Rehbein, Jr. (R)
Rep. John "Sam" Rose (R)
Rep. Richard D. Simpkins (R)
Rep. Joe Tropila (D)
Rep. Allan Walters (R)

Members Excused: Rep. Antoinette R. Hagener

Members Absent: Rep. Sam Kitzenberg

Staff Present: Connie Erickson, Legislative Services Division
Alberta Strachan, Committee Secretary

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 301 (3/5/97); SB 285
(2/24/97); SJR 12 (3/5/97); SB
370 (3/5/97).

Executive Action: SB 370; SJR 12; SB 285; SB
301; SB 198; SB 155.

CHAIRMAN ELLIS stated to the Committee that the roll call vote taken on SB 240 was incorrectly stated by the Vice Chairman during the meeting of March 7, 1997. The proxy "yes" votes to this bill for **REPS. ELLIS and MILLS** were misquoted as "no" votes. The Be Concurred In outcome remains the same.

HEARING ON SB 301

Opening Statement by Sponsor: SEN. STEVE DOHERTY, S.D. 24
introduced the bill.

{Tape: 1; Side: 1; Approx. Time Count: 1.8; Comments: .}

Proponents' Testimony:

Michael Dahlem, Hays-Lodge Pole School District. EXHIBIT 1.

{Tape: 1; Side: 1; Approx. Time Count: 4.9.}

Lance Melton, Montana School Boards Association.

{Tape: 1; Side: 1; Approx. Time Count: 7.8.}

Opponents' Testimony: None.

{Tape: 1; Side: 1; Approx. Time Count: 8.3.}

Informational Testimony: None.

Questions From Committee Members and Responses:

{Tape: 1; Side: 1; Approx. Time Count: 10.4.}

Closing by Sponsor: SEN. DOHERTY closed on the bill.

{Tape: 1; Side: 1; Approx. Time Count: 28.2.}

HEARING ON SB 285

Opening Statement by Sponsor: SEN. STEVE BENEDICT, S.D. 30
introduced the bill.

{Tape: 1; Side: 2; Approx. Time Count: .8.}

Proponents' Testimony:

Dixie Stark, Literacy Volunteers of America-Bitterroot. EXHIBIT
2.

{Tape: 1; Side: 2; Approx. Time Count: 2.6.}

Lance Melton, Montana School Boards Association.

{Tape: 1; Side: 2; Approx. Time Count: 4.6.}

Opponents' Testimony: None.

{Tape: 1; Side: 2; Approx. Time Count: 5.1.}

Informational Testimony: None.

Questions From Committee Members and Responses:

{Tape: 1; Side: 2; Approx. Time Count: 5.4.}

Closing by Sponsor: SEN. BENEDICT closed on the bill.

{Tape: 1; Side: 2; Approx. Time Count: 18.5.}

HEARING ON SJR 12

Opening Statement by Sponsor: SEN. MIKE FOSTER, S.D. 20
introduced the bill.

{Tape: 1; Side: 2; Approx. Time Count: 20.0.}

Proponents' Testimony:

Terry Minow, Boulder resident.

{Tape: 1; Side: 2; Approx. Time Count: 22.0.}

Opponents' Testimony: None.

{Tape: 1; Side: 2; Approx. Time Count: 22.3.}

Informational Testimony: None.

Questions From Committee Members and Responses:

{Tape: 1; Side: 2; Approx. Time Count: 22.5.}

Closing by Sponsor: SEN. FOSTER closed on the bill.

{Tape: 1; Side: 2; Approx. Time Count: 24.4.}

HEARING ON SB 370

Opening Statement by Sponsor: SEN. FRED THOMAS, S.D. 31
introduced the bill. EXHIBIT 3.

{Tape: 1; Side: 2; Approx. Time Count: 24.7; Comments: Sen.
Foster provided a copy of the current law regarding this bill.}

Proponents' Testimony:

Lance Melton, Montana School Boards Association.

{Tape: 2; Side: 1; Approx. Time Count: 28.3.}

R. Perry Eskridge, Department of Commerce. EXHIBIT 4.

{Tape: 2; Side: 1; Approx. Time Count: .2; Comments: Mr. Eskridge
provided testimony from Pamela J. Hill, School of Architecture,
College of Arts and Architecture, Montana State University.}

W. James Kembel, Montana Technical Council.

{Tape: 2; Side: 1; Approx. Time Count: .3.}

Opponents' Testimony: None.

{Tape: 2; Side: 1; Approx. Time Count: .8.}

Informational Testimony: None.

Questions From Committee Members and Responses:

{Tape: 2; Side: 1; Approx. Time Count: .9.}

Closing by Sponsor: SEN. THOMAS closed on the bill.

{Tape: 2; Side: 1; Approx. Time Count: 15.9.}

EXECUTIVE ACTION ON SB 370

Motion: REP. ROSE MOVED SB 370 BE CONCURRED IN.

{Tape: 2; Side: 1; Approx. Time Count: 17.1.}

Discussion:

{Tape: 2; Side: 1; Approx. Time Count: 17.6.}

Vote: Question was called. Motion carried 17-0 with REP.

HAGENER voting by proxy and REP. KITZENBERG not voting.

{Tape: 2; Side: 1; Approx. Time Count: 22.0; Comments: Rep. Cobb to carry this bill on the House of Representatives floor.}

EXECUTIVE ACTION ON SJR 12

Motion/Vote: REP. ROSE MOVED SJR 12 BE CONCURRED IN. Question was called. Motion carried 17-0 with REP. HAGENER voting by proxy and REP. KITZENBERG not voting.

{Tape: 2; Side: 1; Approx. Time Count: 22.8; Comments: Rep. Grimes to carry this bill on the House of Representatives floor.}

EXECUTIVE ACTION ON SB 285

Motion: REP. MASOLO MOVED SB 285 BE CONCURRED IN.

{Tape: 2; Side: 1; Approx. Time Count: 24.0.}

Discussion:

{Tape: 2; Side: 1; Approx. Time Count: 24.1.}

Vote: Question was called. Motion carried 14-3 with REPS.

ARNOTT, REHBEIN and MILLS voting no, REP. HAGENER voting by proxy and REP. KITZENBERG not voting.

{Tape: 2; Side: 2; Approx. Time Count: 1.4; Comments: Rep. Walters to carry this bill on the House of Representatives floor.}

EXECUTIVE ACTION ON SB 301

Motion: REP. TROPILA MOVED SB 301 BE CONCURRED IN.

{Tape: 2; Side: 2; Approx. Time Count: 2.0.}

Discussion:

{Tape: 2; Side: 2; Approx. Time Count: 2.6.}

Motion/Vote: REP. SIMPKINS MADE A SUBSTITUTE MOTION SB 301 BE TABLED. Question was called. Motion carried 12-5 with REPS.

HARRINGTON, MCCULLOCH, HAGENER, TROPILA and ROSE voting no, REP. HAGENER voting by proxy and REP. KITZENBERG voting by proxy.

{Tape: 2; Side: 2; Approx. Time Count: 6.0.}

EXECUTIVE ACTION ON SB 198

Motion: REP. DENNY MOVED SB 198 BE CONCURRED IN.
{Tape: 2; Side: 2; Approx. Time Count: 6.9.}

Discussion:
{Tape: 2; Side: 2; Approx. Time Count: 7.1.}

Vote: Question was called. Motion carried 12-5 on a roll call vote with REPS. HARRINGTON, HAGENER, HEAVY RUNNER, MCCULLOCH and TROPILA voting no, REP. HAGENER voting by proxy and REP. KITZENBERG not voting.
{Tape: 2; Side: 2; Approx. Time Count: 11.6; Comments: Rep. Ellis to carry this bill on the House of Representatives floor.}

EXECUTIVE ACTION ON SB 155

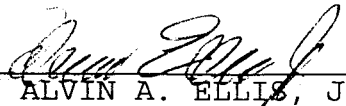
Motion: REP. WALTER MOVED SB 155 BE CONCURRED IN.
{Tape: 2; Side: 2; Approx. Time Count: 14.6.}

Discussion:
{Tape: 2; Side: 2; Approx. Time Count: 15.4.}

MOTION/VOTE: REP. TROPILA MADE A SUBSTITUTE MOTION SB 155 BE TABLED. Question was called. Motion carried 12-5 with REP.S MCCULLOCH, TROPILA, WALTERS, LAWSON and HAGENER voting no, REP. HAGENER voting by proxy and REP. KITZENBERG not voting.
{Tape: 2; Side: 2; Approx. Time Count: 17.0.}

ADJOURNMENT

Adjournment: 5:00 P.M.



REP. ALVIN A. ELLIS, Jr., Chairman



ALBERTA STRACHAN, Secretary

AAE/ajs

COMMITTEE--HOUSE EDUCATION

CHAIRMAN--ALVIN ELLIS

SECRETARY--ALBERTA STRACHAN/312-1A

NORMAL SCHEDULE => SITE: ROOM 312-1

DAYS: M,W,F

TIME: 3:00 P.M.

- BILL NO-- REFERRED - HEARING - OTHER CONSIDERATION DATES - EXECUTIVE ACTION/DATE/VOTE ----- REREFERRED ---- DATE READ

HB0025	EWER, DAVID			AUTHORIZE CAPITALIZATION OF SCHOOL BUILDING RESERVE FOR UP TO 5 YEARS				
	1/06	1/13		DO PASS	01/15	VOTE: 17-0		1/16
HB0028	ROSE, JOHN			REQUIRE OPI & SCHOOL DISTRICT TRUSTEES TO DISCLOSE STUDENT ASSESSMENT DATA				
	1/06	1/10		PASS AS AMENDED	01/15	VOTE: 17-0		1/16
HB0049	ELLIS, ALVIN			REVISE TEACHER TENURE LAWS				
	1/06	1/27		PASS AS AMENDED	02/14	VOTE: 11-7		2/18
HB0052	KITZENBERG, SAM			ALLOWING SCHOOL DISTRICTS TO CONDUCT LESS THAN 180 DAYS OF PUPIL INSTRUCTION				
	1/06	1/10	01/15	PASS AS AMENDED	01/17	VOTE: 18-0		1/20
HB0077	SIMPKINS, DICK			REQUIRE PLEDGE OF ALLEGIANCE WITH RIGHT OF REFUSAL FOR TEACHER OR STUDENT				
	1/06	1/13		PASS AS AMENDED	01/15	VOTE: 16-1		1/16
HB0079	SIMPKINS, DICK			PROHIBIT BOARD OF PUBLIC EDUCATION TO IMPLEMENT RULES WITHOUT FUNDING SOURCE				
	1/06	1/15	01/29	PASS AS AMENDED	02/05	VOTE: 11-7		2/07
HB0104	HAGENER, TONI			EDUCATION COSTS PAID BY AGENCY RESPONSIBLE FOR OUT-OF-STATE PLACEMENT				
	1/06	1/13		PASS AS AMENDED	01/15	VOTE: 17-0		1/16
HB0183	MASOLO, GAY ANN			CHANGING SCHOOL FIRE DRILLS TO SCHOOL DISASTER DRILLS				
	1/08	1/20		DO PASS	01/24	VOTE: 18-0		1/27
HB0192	HANSON, SONNY			REQUIRE BIENNIAL REPORT ON STATE EDUCATIONAL SYSTEMS BY BOARD OF EDUCATION				
	1/09	1/15		DO PASS	01/17	VOTE: 18-0		1/20
HB0198	ELLIS, ALVIN			REVISING NONTENURE TEACHER LAWS				
	1/09	1/27		TABLED ON	02/14	VOTE: 17-1		
HB0206	MCCANN, MATT			AUTHORIZE DISSOLUTION OF K-12 DISTRICT IF LOSS OF FEDERAL FUNDING RESULTS				
	1/09	1/17		PASS AS AMENDED	01/24	VOTE: 15-3		1/27

HOUSE EDUCATION

Page 2

- BILL NO - REFERRED - HEARING - OTHER CONSIDERATION DATES - EXECUTIVE ACTION/DATE/VOTE - REREFERRED - DATE READ

HB0221	JORE, RICK	ABOLISH COMPULSORY SCHOOL ENROLLMENT AND ATTENDANCE PROVISIONS					
	1/10	1/20		TABLED ON	01/24	VOTE: 13-5	
HB0245	SIMPKINS, DICK	ALLOWING A CHILD TO LEAVE SCHOOL UPON COMPLETION OF THE 8TH GRADE					
	1/13	1/22		TABLED ON	01/29	VOTE: 13-5	
HB0246	SIMPKINS, DICK	CLARIFYING DUTIES OF STATE & COUNTY SUPERINTENDENTS					
	1/13	1/20	02/14	PASS AS AMENDED	01/29	VOTE: 10-6	2/18
HB0258	SIMPKINS, DICK	DEFINING PURPOSE OF PUBLIC EDUCATION					
	1/15	1/22		TABLED ON	01/22	VOTE: 12-6	
HB0259	HANSON, SONNY	IMPLEMENT UNIFIED EDUCATION BUDGET AS CONTROL MECHANISM					
	1/15	1/22		DO PASS	01/24	VOTE: 12-6	1/27
HB0263	DOWELL, TIM	CLARIFYING LAWS RELATING TO BONDS FOR JOINT CONSTRUCTION OF SCHOOL FACILITY					
	1/15	1/20		DO PASS	01/24	VOTE: 18-0	1/27
HB0280	BOHLINGER, JOHN	REQUIRED SERVICE BY CERTAIN MEDICAL & DENTAL STUDENTS OR REPAYMENT OF LOANS					
	1/16	2/03		TABLED ON	02/05	VOTE: 18-0	
HB0282	ANDERSON, SHIELL	ELIMINATE MANDATORY APPROVAL FOR CHILD WITH SIBLING ENROLLED OUT-OF-DISTRICT					
	1/17	1/24		DO PASS	01/24	VOTE: 15-3	2/07
HB0314	SIMPKINS, DICK	ENCOURAGING A SCHOOL DISTRICT TO PROVIDE FIREARMS SAFETY EDUCATION					
	1/22	1/29		PASS AS AMENDED	01/31	VOTE: 18-0	2/03
HB0347	LAWSON, BOB	EXCEPT DISTRICT OPENING NEW SCHOOL FROM 4% LIMIT IN GENERAL FUND BUDGET					
	1/24	1/31		PASS AS AMENDED	01/31	VOTE: 15-3	2/03
HB0380	SIMPKINS, DICK	ESTABLISH SKILL REQUIREMENTS FOR GRADUATES OF 8TH AND 12TH GRADES					
	1/28	2/03		TABLED ON	02/05	VOTE: 13-5	
HB0436	DOWELL, TIM	PROVIDE FOR PAID JURY DUTY LEAVE FOR SCHOOL TEACHERS					
	2/04	2/07		DO PASS	02/14	VOTE: 14-4	2/17

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- BILL NO - REFERRED - HEARING - OTHER CONSIDERATION DATES - EXECUTIVE ACTION/DATE/VOTE - REREFERRED - DATE READ

HB0448	KOTTEL, DEB		FINGERPRINTING AND BACKGROUND CHECKS FOR SCHOOL PERSONNEL AND VOLUNTEERS			
	2/05	2/10		TABLED ON 02/17	VOTE: 18-0	
HB0449	KOTTEL, DEB		DISSEMINATE CRIMINAL HISTORY INFORMATION TO SCHOOLS UPON CONDITIONS			
	2/05	2/10		TABLED ON 02/17	VOTE: 18-0	
HB0487	WHITEHEAD, BILL		AUTHORIZE SCHOOL DISTRICTS TO ADOPT INDIAN EMPLOYMENT PREFERENCES			
	2/07	2/12		DO PASS	02/17 VOTE: 12-6	2/18
HB0490	WHITEHEAD, BILL		ENCOURAGE ALL PUBLIC SCHOOLS TO REQUIRE INDIAN STUDIES OF THEIR TEACHERS			
	2/07	2/12		TABLED ON 02/17	VOTE: 16-2	
HB0491	REHBEIN, WILLIAM		REVISE SCHOOL DISTRICT TERRITORY TRANSFER LAWS			
	2/07	2/12		DO PASS	02/17 VOTE: 18-0	2/17
HB0523	MCCULLOCH, LINDA		REVISING THE PENALTIES FOR SCHOOL TRANSPORTATION VIOLATIONS			
	2/11	2/14		DO PASS	02/19 VOTE: 18-0	2/20
HB0542	PECK, RAY		GENERALLY REVISING OUT-OF-COUNTY TUITION LAWS			
	2/13	2/17		PASS AS AMENDED	02/19 VOTE: 16-2	2/20
HB0552	VICK, STEVE		DUAL ENROLLMENT FOR NONPUBLIC SCHOOL STUDENTS			
	2/14	2/17		TABLED ON 02/17	VOTE: 12-5	
HB0560	PECK, RAY		IMPLEMENT MORATORIUM OF CREATION OF SCHOOL DISTRICTS			
	2/14	2/17		PASS AS AMENDED	02/19 VOTE: 17-1	2/20
HB0563	PECK, RAY		ALLOW 4% INCREASE OF THE GREATER OF PREVIOUS GENERAL FUND OR PREVIOUS ANB			
	2/15	2/19		TABLED ON 02/19	VOTE: 11-7	
HB0564	DOWELL, TIM		ISSUE SHORT-TERM OBLIGATIONS TO PAY OUT-OF-DISTRICT TUITION COSTS			
	2/15	2/19		PASS AS AMENDED	02/19 VOTE: 14-4	2/20
HJ0008	BRAINARD, MATT		CONGRATULATE GRIZZLY FOOTBALL TEAMS			
	1/23	1/27		DO PASS	01/29 VOTE: 17-1	1/30

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- BILL NO - REFERRED - HEARING - OTHER CONSIDERATION DATES - EXECUTIVE ACTION/DATE/VOTE - REREFERRED - DATE READ

HJ0009	PEASE, GERALD	RESOLUTION URGING BOARD OF PUBLIC EDUCATION TO INCREASE INDIAN EDUCATION		
	1/27 2/03		TABLED ON 02/05 VOTE: 11-6	
HJ0021	DENNY, MATT	RESOLUTION CONGRATULATING THE LOYOLA SACRED HEART SPEECH AND DEBATE TEAM		
	2/12 2/14		DO PASS 02/14 VOTE: 18-0	2/17
HJ0023	TROPILA, JOE	JOINT RESOLUTION FOR INTERIM STUDY OF SCHOOL ELECTIONS		
	2/12 2/14		DO PASS 02/14 VOTE: 18-0	2/17
HJ0029	COCCHIARELLA, VICKI	HJR CONGRATULATING THE MISSOULA BIG SKY BOYS BASKETBALL TEAM		
	3/12 3/14		DO PASS 03/14 VOTE: 17-1	3/17
HJ0030	AHNER, CHRIS	RESOLUTION CONGRATULATING CAPITAL HIGH FOOTBALL		
	3/13 3/14		DO PASS 03/14 VOTE: 17-1	3/17
HJ0031	PEASE, GERALD	HONORING HARDIN H.S. FOR CLASS A STATE BOYS BASKETBALL CHAMPIONSHIP		
	3/18		DO PASS 03/24 VOTE: 16-2	
SB0010	HARGROVE, DON	WAIVE TUITION FOR SPOUSES/CHILDREN OF GUARD MEMBER KILLED/DIED WHILE ON DUTY		
	1/20 1/31		CONCUR 01/31 VOTE: 18-0	2/03
SB0021	JERGESON, GREG	EXTEND POSTSECONDARY EDUCATION SUBCOMMITTEE SUNSET FOR 8 YEARS		
	1/23 2/05		CONCUR 02/05 VOTE: 18-0	2/07
SB0038	LYNCH, J. D.	REVISING DURATION OF INTERNSHIPS UNDER THE MT LEGISLATIVE INTERN PROGRAM		
	1/20 1/31		CONCUR 01/31 VOTE: 18-0	2/03
SB0070	GAGE, DELWYN	GENERALLY REVISE SCHOOL FINANCE AND BUDGETING LAWS		
	1/24 1/29		CONCUR 01/29 VOTE: 18-0	1/30
SB0071	TOEWS, DARYL	GENERALLY REVISING THE DUTIES OF ELECTED SCHOOL OFFICIALS		
	1/23 2/03		CONCUR AS AMENDED 02/14 VOTE: 15-3	2/17
SB0095	HALLIGAN, MIKE	PROVIDE THAT SPECIAL ED FUNDS FOLLOW STUDENT FOR COSTS INCURRED		
	2/04 2/07		CONCUR AS AMENDED 03/05 VOTE: 15-3	3/06

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- BILL NO - REFERRED - HEARING - OTHER CONSIDERATION DATES - EXECUTIVE ACTION/DATE/VOTE - - - - - REREFERRED - - - - - DATE READ

SB0117	NELSON, LINDA	DESIGNATE 4TH FRIDAY IN SEPTEMBER AS AMERICAN INDIAN HERITAGE DAY							
	3/05	3/14		CONCUR	03/14	VOTE: 16-2			3/17
SB0126	NELSON, LINDA	INCREASING EDUCATIONAL DEBT PAYMENT FOR RURAL PHYSICAN							
	1/30	2/05		CONCUR	02/14	VOTE: 18-0			2/07
SB0155	HERTEL, JOHN	REVISE MEMBERSHIP ON CERTIFICATION STANDARDS AND PRACTICES ADVISORY COUNCIL							
	2/21	3/07		TABLED ON	03/10	VOTE: 12-5			
SB0165	CHRISTIAENS, CHRIS	EDUCATION PAYMENTS BY COUNTIES FOR JUVENILES IN YOUTH DETENTION FACILITIES							
	2/11	3/05		CONCUR AS AMENDED	03/05	VOTE: 13-5			3/06
SB0198	GROSFIELD, LORENTS	DEFINING "SAME SALARY" FOR PURPOSES OF TEACHER TENURE							
	2/04	2/10		CONCUR	03/10	VOTE: 12-5			3/11
SB0207	JABS, REINY	AUTHORIZING ISSUANCE OF AN OBLIGATION UNDER CONDITIONS FOR SCHOOL FACILITY							
	2/11	3/05		CONCUR	03/05	VOTE: 16-2			3/06
SB0235	HERTEL, JOHN	ELIMINATE REQUIREMENT OF TRUSTEES TO PREPARE AND ADOPT PRELIMINARY BUDGET							
	2/22	3/05		CONCUR	03/07	VOTE: 16-2			3/10
SB0240	BECK, TOM	REINSTITUTING BONUS PAYMENTS FOR ANNEXATION/CONSOLIDATION OF SCHOOLS							
	2/21	3/07		CONCUR	03-07	VOTE: 17-1			3/11
SB0244	TOEWS, DARYL	ALLOW TRANSFER OF BUS DEPRECIATION RESERVE FUND ONLY WHEN BUSES ARE SOLD							
	2/21	3/07		CONCUR	03/07	VOTE: 11-7			3/10
SB0264	MILLER, KEN	AUTHORIZING GOVERNOR TO JOIN WESTERN GOVERNORS' UNIVERSITY							
	2/21	3/07		CONCUR	03/07	VOTE: 11-7			3/10
SB0285	BENEDICT, STEVE	ALLOW COUNTY ADULT LITERACY FUNDING							
	2/22	3/10		CONCUR	03/10	VOTE: 14-3			3/11
SB0301	DOHERTY, STEVE	SCHOOL DISTRICT MAY BORROW FEDERAL MONEY IF REPAID WITH FEDERAL/STATE MONEY							
	3/03	3/10		TABLED ON	03/10	VOTE: 12-5			

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- BILL NO - REFERRED - HEARING - OTHER CONSIDERATION DATES - EXECUTIVE ACTION/DATE/VOTE ----- REREFERRED ----- DATE READ

SB0313	BROOKE, VIVIAN	GENERALLY REVISING LAWS RELATING TO THE MONTANA UNIVERSITY SYSTEM							
	3/03	3/14		CONCUR	03/14	VOTE: 16-2			3/17
SB0370	THOMAS, FRED	AUTHORIZE SCHOOL DISTRICT TO DETERMINE IF ARCHITECTURAL SERVICES NEEDED							
	3/03	3/10		CONCUR	03/10	VOTE: 17-0			3/11
SJ0012	FOSTER, MIKE	HONOR JEFFERSON COUNTY HIGH SCHOOL THEATER PROGRAM							
	3/03	3/10		CONCUR	03/10	VOTE: 17-0			